



RIDGEFIELD POLICE DEPARTMENT BAD CHECK INVESTIGATION REQUEST

Please complete this form and return to the Detective Division at Ridgefield Police Headquarters, 76 East Ridge, Ridgefield, CT 06877. Phone: 203-438-6531.

PART I

Information / Procedures

This document outlines the procedures for initiating a request for a bad check investigation and possible prosecution and identifies the information required to support that action.

1. A bad check is a check written for the payment of money from a nonexistent or closed account, or from an account containing insufficient funds to cover the specified amount. Arrest warrants for bad checks will be considered for issuance only when the underlying circumstances demonstrate flagrant and obvious fraudulent intent, and the case is prosecutable under Connecticut law. The following conditions govern such consideration.
2. A check may be deemed “bad” if it has been presented for payment and refused by the drawee within thirty (30) days of its issue date, and the matter has not been resolved after an eight-day statutory demand notice has been mailed to the issuer by certified mail, return receipt requested, at the issuer’s last known address. (The affiant on the warrant application must have signed the demand notice.)
3. Cases involving post-dated checks or checks that the complainant agreed to hold before depositing cannot be prosecuted under Connecticut law.
4. Cases involving third-party checks will not be accepted for prosecution unless the complainant can prove that the listed issuer or payee is the actual person who issued or endorsed the check.
5. The final decision whether to prosecute an individual for issuing a bad check will be made by a Ridgefield Police Department representative and/or the State’s Attorney’s Office (Danbury Superior Court) based on several factors (in addition to those conditions listed in paragraphs 1 through 4) including evidence of intent to defraud and the availability of supporting documentation.
6. Criminal prosecution does not guarantee restitution. If you, the affiant, agree to prosecute, you cannot withdraw the charge if the suspect later offers to pay the check after the warrant is issued. If prosecution is not viable, the check will be returned upon request.
7. If you decide to proceed with this request:
 - a. Complete Parts II, III, and IV of this form as thoroughly as possible. Part III must be completed and signed by the person who actually accepted the check. Part IV must be completed and signed by the complainant (who will also serve as the affiant), such as the business owner, manager, or cashier. **Part IV must be signed in the presence of a Ridgefield Police Officer.**

b. Attach the following documentation:

- 1) The original bad check;
- 2) A copy of the sales receipt or invoice (if available) showing the goods or services exchanged;
- 3) The bank notice indicating why the check was unpaid;
- 4) A copy of the 8-day statutory demand notice mailed to the issuer, signed by the affiant;
- 5) The certified mail receipt showing evidence of mailing; and
- 6) The green return receipt (signed or annotated as undeliverable), including the envelope if returned.

c. On the ARREST WARRANT APPLICATION – BAD CHECK form (JD-CR-57), complete the seven lines following the “Affidavit” heading. **Do not sign the warrant until in the presence of a Ridgefield Police Officer who must witness the affiant’s signature under oath.** For multiple checks, also complete the SUPPLEMENT FOR MULTIPLE CHECKS form (JD-CR-57A), included herewith.

8. To initiate this complaint, return the completed form and all required documents in person to the Ridgefield Police Department Detective Bureau. A Detective will review the packet. If sufficient probable cause exists, the matter will be submitted to the Danbury Superior Court for further review and possible action.

PART II

Background Details (To be completed by the person making the complaint.)

Business Name: _____

Business Address: _____

Business Phone: _____

Complainant’s Name: _____

Job Title: _____

Home Address: _____

Home Phone/Cell: _____

Address of Business/Branch/Location Where the Check was Received:

Check number: _____ Date of Check: _____ Amount: _____

Drawee Bank: _____

Name of Person Who Presented the Check: _____

If different, Name of Person/Business that Issued the Check: _____

Date the was Check Deposited/Presented for Payment? _____

More than once? No Yes, When? _____

Please detail what steps you or your employees have taken to contact the person who presented/issued the check and/or to recover your loss: _____

Who was Contacted? _____

By Whom? _____

Date of Contact: _____ Method of Contact: _____

Result: _____

Has Restitution been Attempted? No Yes – Details: _____

Have Civil Proceedings been Instituted? No Yes

Which Court? _____ Docket #: _____

Have you Retained an Attorney or Collection Agency?

No Yes Details: _____

Please indicate on reverse side of this form any additional information that you believe would help in locating and prosecuting this person (attach sheet if necessary): _____

Check here if continued on reverse.

PART III

Details of the Transaction (To be completed by the person who actually accepted the check.)

Name: _____

Home Address: _____

Home Phone/Cell: _____

Description of Check Issuer/Passer: Race: _____ Age: _____ Sex: _____

Height: _____ Weight: _____ Hair color: _____ Hair Length: _____

Other ID Features: _____

Name Given: _____

Method of ID Verification: _____

Employment Claimed: _____

Phone #: _____

Address Given: _____

Driver's License #: _____ State: _____ Signature match? Yes No

Photo match? Yes No Other ID Used: _____

Vehicle (if any): Plate #: _____ State: _____

Make: _____ Model: _____ Color: _____

Description of Companions/Witnesses (if any): _____

Name of other persons who witnessed the transaction and a phone number at which each can be reached:

Witness 1: _____ Phone: _____

Witness 2: _____ Phone: _____

Witness 3: _____ Phone: _____

Please circle the correct response(s) in each of the following items:

What consideration did the issuer / passer obtain in exchange for the check?

Cash: \$ _____ Credit for Bill Rent or Mortgage Payment

Services? Details: _____

Merchandise? Details: _____

Do you know the Issuer/Passer? Yes No

If yes, explain: _____

Can you Identify the Issuer/Passer? Yes No

If yes, how: _____

Was the Check Post-dated or Held for Deposit? Yes No

Did You Witness the Issuer Sign/Endorse the Check? Yes No

Did You Mark or Initial the Check? Yes No If yes, how: _____

Signature of Person who Accepted the Check

Date

PART IV

Affidavit (To be completed by the person making the complaint.)

I affirm that all information contained herein may be used and disseminated among law enforcement agencies, the Office of the State's Attorney, and the Courts. I further affirm that the check(s) referenced above is being submitted for criminal prosecution, and that persons with knowledge of the facts may be required to appear and testify in court.

I certify that no one has accepted full or partial payment for this (these) particular check(s) as of today's date and that I will NOT ACCEPT RESTITUTION WITHOUT NOTIFYING the investigating officer or detective.

I certify that I have read and understand the procedures in Part I of this form, and to the best of my knowledge, all information entered herein (including Part II) is true, accurate, and complete.

Signature of Person Making the Claim/Report

Date

Printed Name

Signature of Witnessing Officer

Date

Printed Name / ID #

Case # Assigned: _____